

**RECEIVED** IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

2005 DEC 23 A 11:15  
ATHEAL PIERCE,

Debtor/Appellant,  
vs. THE DISTRICT CLERK

Docket Number 2:05-1014-T

Case Cite: 2/05/1014-T

AMERICAN GENERAL FINANCE COMPANY}

Adversary/Appellee.

Pierce's EMERGENCY Motion For Relief and showing JUST  
CAUSE and seeking judicial review and intervention with chapter 13  
purview involving AMERICAN GENERAL FINANCE COMPANY; and  
others

Pierce states as follows:

**I.**

Pierce did not file a new response to the Trustee's motion do dismiss because she did not include any new information that would support her position and Pierce had already filed a response. The Trustee did not carry the unaltered clerk records with her motion. Pierce knows that the stamped records will bear witness that Pierce timely filed the notice of appeal.

**Ia.**

Pierce filed a timely appeal and said documents were personally timely filed. There should be a stamped copy. Pierce knew to have the documents stamped. The documents Trustee put before the court is a fraud of the truth. Sometime after documents were stolen from 5916 Havenwood Drive, the Trustee skillfully approached this honorable court with additional efforts to have appeal dismissed with false stamped documents attached thereto.

**II.**

Pierce documents left on the 5916 Havenwood Drive's counter top are missing – verified by my plain view assessment and my attempt to gain entry to my property.

**IIa.**

Pierce shows cause for inactivity:

1)

Pierce is under involuntary and total legal disability. 5916 Havenwood Drive is close to a Law School's law library. 5916 was targeted and invaded, by American General Finance Company and others, new locks installed and thus, theft of property, trespass entry and intended and purposeful removal of Pierce's legal records and files without the consent of Pierce was calculated. Pierce remains locked out and kept away from Pierce's appeal files and documents.

2)

The Trustee knows about the legal grab, because she keeps filing papers knowing that the Property of Pierce was invaded shortly after the scheduling conference was held and American General's lawyer stated that she agreed with the Trustee's employee but frustrated her known role and partaking in this appeal.

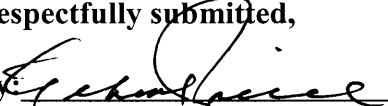
3)

Through the very actions of the American General Company, Pierce is being kept from participating in the Chapter 13 process and kept from prosecuting the appeal due to forced disability.

Wherefore, Pierce pray that this honorable judge and court stay all proceedings and issue a judicial review. Pierce desires to prosecute this appeal Pro Se. Further relief includes:

- A- American General Finance Company be kept from invading the property of Pierce until finality of proceedings.
- B- American General Finance Company return all legal appeal papers and personal property of Pierce.
- C- Restore Pierce to the position he enjoyed prior to the actions of American General Finance Company.
- D- Allow each party to file a brief on appeal consistent with the original scheduling order.
- E- Issue an injunction against American General Finance Company in as much as the Chapter 13 appeal would allow since American General Finance Company has locked out Pierce from Pierce's main appellate files and most of those to be used for appeal purposes.
- F- Issue an order vacating or condemning the unfavorable acts of American General Finance Company to the degree such actions encroaches upon the Chapter 13 protective insurance due to be enjoyed by Pierce.

Respectfully submitted,

By:   
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Montgomery, Alabama 36117  
334-215-7525

Certificate of service

I faxed and/or mailed a copy of this pleading upon the following listed parties by placing a copy of same in the U.S. Mail, postage pre-paid and properly addressed this 23rd day of December.

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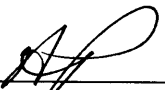
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**Also filed with the Bankruptcy Court Clerks Office for record**  
**case file -05/31205/DHW-132**